

REMARKS

Reconsideration is respectfully requested in view of the amendments made to the claims and for the remarks made herein. Claims 1 and 3-9 are pending in the application and stand rejected. Claim 2 has been cancelled without prejudice. Claims 1, 7, 8 and 9 are independent claims.

Claim 9 stands rejected under 35 USC §101 as allegedly being directed to non-statutory subject matter. Applicant respectfully disagrees, however, in the interest of expediting prosecution, claim 9 has been rewritten as a standard statutory Beauregard claim. Accordingly, applicant believes that the reason for the rejection has been overcome and respectfully requests that the rejection be withdrawn.

Claim 1 and 8 stand rejected under 35 USC §103(a) as being unpatentable over Martins (USP no. 6,438,275) in view of Yazici et al. (USP no. 6,333,990 B1), Knutrud (USP no. 6,612,159 B1) and Kryukov (USP no. 7, 003, 174). Claim 7 stands rejected under 35 USC §103(a) as being unpatentable over Martins (USP no. 6,438,275) in view of Yazici et al. (USP no. 6,333,990 B1), Knutrud (USP no. 6,612,159 B1) and Kryukov (USP no. 7, 003, 174) and further in view of Nio et al. (USP no. 6,738,528 B1).

Applicants greatly appreciate the Examiner's indication that claims 2-6 would be allowable if rewritten to overcome 35 U.S.C 112, second paragraph rejection set forth in this Office action (applicants note that there were no 35 U.S.C 112, second paragraph

rejection set forth in this Office action) and to include all of the limitations of the base claim and any intervening claims. Applicants submit that independent claim 1, 7-9 have been amended to include the limitations of claim 2. Accordingly, applicants submit the independent claims 1, 7-9 are allowable.

With regard to the dependent claims 3-6 these claims ultimately depend from one of the independent claims, which have been shown to be allowable in view of the cited references. Accordingly, claims 3-6 are also allowable by virtue of their dependence from an allowable base claim.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

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